

ORIGINAL

FILED

March 29 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0042

STATE OF MONTANA,

Plaintiff and Appellee,

v.

WILLIAM CYRIL DALTON,

Defendant and Appellant.

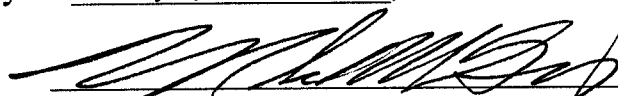
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CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORDER

Upon consideration of Appellant's Motion to Stay Appeal and Remand to District Court and good cause appearing therefore,

IT IS HEREBY ORDERED that this matter be remanded to the Thirteenth Judicial District Court, Yellowstone County, for the purpose of Appellant filing a motion to modify the written judgment to conform to the oral pronouncement of sentence pursuant to Mont. Code Ann. § 46-18-116(2) and for proceedings on such motion. Upon either the filing of an amended written judgment or the denial of Appellant's motion, the clerk of the district court shall have ten (10) days to transmit the district court record back to the Montana Supreme Court for further proceedings on appeal.

DATED this 29th day of APRIL, 2010.


CHIEF JUSTICE

ORDER